

6 July 1978

DD/A Registry

File Od 77-1

MEMORANDUM FOR: Michael J. Malanick,
Associate Deputy Director for Administration

STATINTL

FROM : [REDACTED]
Publications and Presentations Group, NFAC

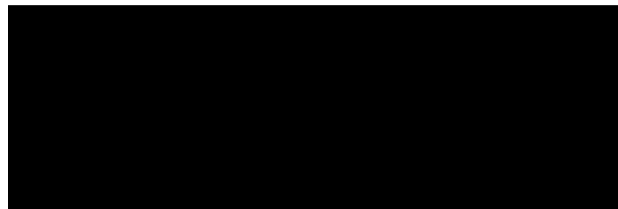
STATINTL

SUBJECT : Classification of HN [REDACTED] 26 June 1978

STATINTL

(U) Thank you very much for your prompt reply to my query regarding classification of HN [REDACTED]

(U) Although on the surface my query may be regarded as an unnecessary nuisance, I believe it to be a healthy situation when we all strive for a good understanding of the many facets of classification and classifying. Thank you again.



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HOT CRPA
7D18

Michael J. Malanick
~~ADDA~~
~~7D18~~ Headquarters

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CONFIDENTIAL

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DD/A Registry
78-2613

5 JUL 1978

DD/A Registry

File 04/M-1

STATINTL

MEMORANDUM FOR: [REDACTED] Publications and Presentations Group, NEAC
FROM: Michael J. Malanick
Associate Deputy Director for Administration
SUBJECT: Classification of [REDACTED] dated 26 June 1978, subject: Parking Violations on the Headquarters Compound

STATINTL

(C) With reference to your inquiry concerning the classification of selected paragraphs of Subject Notice, paragraphs 1 and 4 through 7 were classified Confidential pursuant to advice received from the Chief, Central Cover Staff. The Chief, Central Cover Staff, has indicated that as a matter of Agency policy, a security classification of Confidential is required for any information acknowledging the use of cover by the Agency as well as any identification of procedures relating to the Agency use of cover.

Michael J. Malanick

Michael J. Malanick

Att
Subject Notice

cc: C/CCS

ORIGINATOR:

STATINTL

[REDACTED]
Acting Director of Security

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CONFIDENTIAL

P.P. 7630

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This Notice Expires 1 July 1979

SECURITY

25X1A

HN

26 June 1978

PARKING VIOLATIONS ON THE HEADQUARTERS COMPOUND

1. (C) In November 1977, the Federal District Court of Alexandria, Virginia, advised the Central Intelligence Agency that the U.S. Magistrate would no longer hold traffic court at the Agency's Headquarters Building. Henceforth, all individuals who desire to have their violations adjudicated in court will be obliged to appear before the U.S. District Court for the Eastern District of Virginia, Alexandria, Virginia. An appeal of this procedural change based on the Agency's need to protect the cover status of covert employees was denied.

2. (U/AIUO) Effective immediately, all citations issued on the Agency compound will carry a statement indicating that the violator has 10 working days to either forfeit the collateral, in lieu of a court appearance, or to request a trial. If the violator elects to forfeit collateral, it may be done as it is done now, by delivering the collateral and the citation to the Collateral Clerk, whose room number and hours of operation appear on the citation statement. If the collateral is given in cash, no name will be submitted with the monies when they are forwarded to the U.S. Magistrate.

3. (U/AIUO) If the collateral is not forfeited within 10 working days or if the violator advises the Collateral Clerk that he wishes to contest the citation before a judge, the citation will be forwarded to the U.S. Attorney in Alexandria, Virginia, and the U.S. Attorney or the court will advise the individual of the time and date of the trial.

4. (C) An employee, who but for his cover would go into court to contest his citation, will be permitted to appear before an Agency panel consisting of representatives from the Office of General Counsel (OGC), the Central Cover Staff (CCS), and, in a consulting role, the Office of Security (OS). This panel will review the cover status of the individual, the security considerations which would arise as a result of an appearance in open court, and the sufficiency of the reason given as to why the citation was erroneously or unjustifiably issued. If the reason is of sufficient weight to justify an Agency request to the prosecutor that the case be dismissed, then an approach will be made by OGC to the appropriate Assistant U.S. Attorney to explain why the citation was unjustified and to detail the cover circumstances which would render it difficult to make such arguments in open court.

25X1A

HN [REDACTED]
26 June 1978

SECURITY

5. (C) If the Assistant U.S. Attorney is persuaded that the citation was unjustified, he has the discretion to dismiss the case, and in that event the individual would not have to appear before the U.S. Magistrate. If, however, the Assistant U.S. Attorney believes that the employee has been justifiably charged, the employee will then have to decide whether to pay the fine or appear in court despite his cover status.

6. (C) Protection of cover is primarily the responsibility of the individual, and in that regard it should be recognized that sessions at the Magistrate's court are open to the general public. It can be expected, at a minimum, the fact that the individual was at CIA Headquarters will become known. In addition, arguments or excuses made to the Magistrate would likely confirm the employee status of the individual. Nevertheless, the ultimate decision about appearing before the Magistrate rests entirely with the employee.

7. (C) Every effort will be made to avoid the development of or even the appearance of a dual standard; one for employees under cover and another for employees without cover. The Agency, therefore, will not intercede with the Assistant U.S. Attorney except in those cases where it is clearly determined that the citation was undeserved. Forgetting to display one's parking permit, parking in a reserved spot because the permit holder was on vacation, or parking in a reserved lane because one was in a hurry or wanted to beat the evening traffic problems will not be considered as justification. On the other hand, if one is ordered by a Federal Protective Officer or Security Officer to temporarily park in a restricted zone or if a genuine emergency or operational exigency occurs, that may constitute sufficient justification.

JOHN F. BLAKE
Deputy Director
for
Administration

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